

Serial No. 10/762,771

**Amendment to the Drawings**

The attached two sheets of drawings include changes to FIGS. 2 and 6. These sheets, which include FIGS. 1-3 and 6, respectively, replace the original sheets including FIGS. 1-3 and 6.

Attachments: Two Replacement Sheets

## **REMARKS**

Applicants thank the Examiner for the comments. Applicants respectfully request reconsideration of this Patent Application, particularly in view of the above Amendment and the following remarks. This Amendment is filed with a Petition for a one-month extension of time. No additional claim fee is due for this Amendment because the number of independent claims remains unchanged and the total number of claims has decreased.

### **Amendment to the Specification**

Applicants have amended the last paragraph on page 20 to correct the typographical error noted by the Office Action.

### **Amendment to the Drawings**

Applicants have amended FIGS. 2 and 6 as required by the Office Action.

### **Amendment to the Claims**

Applicants have amended Claim 1 to recite “providing the electricity to an electrical grid during peak times of consumer electricity demand” and “increasing an amount of electricity to the desalination system during times other than the peak times of consumer electricity demand.”

Serial No. 10/762,771

Applicants have amended Claim 21 to recite “a means for directing the electricity to at least one of an electrical grid and the desalination system.”

Applicants have amended Claim 22 to add a comma.

Applicants have canceled Claim 14-20 and 24-26, and added new Claims 29 and 30.

Support for this Amendment can be found at page 19, first and second paragraphs. No new matter has been added by this Amendment.

### **Drawings**

FIG. 2 has been amended to include the required “PRIOR ART” legend. FIG. 6 has been amended to include element reference number 200.

### **Specification**

The noted typographical error has been corrected.

### **Claim Objections**

The objections to Claims 14-17, 18, 20, and 24-26 are rendered moot by the canceling of these claims.

The objection to Claim 22 is moot in view of the added comma.

**Claim Rejections - 35 U.S.C. §102**

The rejection of Claims 1-6, 14, and 21-24 under 35 U.S.C. §102(b) as anticipated by the Campbell et al. publication is respectfully traversed.

The rejection of Claims 1-6, 11, 12, 21-23, and 27 under 35 U.S.C. §102(e) as anticipated by the Kenet et al. publication is respectfully traversed.

Neither the Campbell et al. publication nor the Kenet et al. publication teaches or suggests providing fuel cell electricity to an electrical grid during peak times of consumer electricity demand and increasing electricity to the desalination system to produce the fresh water from the salinous water during off peak times as recited in amended Claim 1. The Campbell et al. publication and the Kenet et al. publication also do not teach or suggest a means for directing fuel cell electricity to an electrical grid and/or a desalination system, as recited in Applicants' amended Claim 21. Claims 2-6, 11, 12, 14, 22-24, and 27 depend from Claims 1 and 21, respectively, and are patentable for at least the same reasons as Claims 1 and 21.

The rejection of Claims 14-17 and 24-26 under 35 U.S.C. §102(b) as anticipated by the Campbell et al. publication or the Kenet et al. publication as evidenced by the *Fuel Cell Handbook* is moot as these claims have been canceled.

### **Claim Rejections - 35 U.S.C. §103**

Claims 11, 12, and 27 are rejected under 35 U.S.C. §103(a) as being unpatentable over the Campbell et al. publication. Claims 11, 12, and 27 depend from Claims 1 and 21, respectively, and are thus patentable for at least the same reasons as Claims 1 and 21 discussed above.

Claims 7-10 and 28 are rejected under 35 U.S.C. §103(a) as being unpatentable over the Campbell et al. publication or the Kenet et al. publication in view of Madani, U.S. Patent 5,346,592. Claims 7-10 and 28 depend from Claims 1 and 21, respectively, and are thus patentable for at least the same reasons as Claims 1 and 21 discussed above.

Claim 13 is rejected under 35 U.S.C. §103(a) as being unpatentable over the Campbell et al. publication or the Kenet et al. publication in view of Hsu, U.S. Publication 2003/0012997. Claim 13 depends from Claim 1, and is thus patentable for at least the same reasons as Claim 1 discussed above.


### **Conclusion**

Applicants intend to be fully responsive to the outstanding Office Action. If the Examiner detects any issue which the Examiner believes Applicants have not addressed or resolved in this response, the undersigned attorney requests a telephone interview with the Examiner.

Serial No. 10/762,771

Applicants sincerely believe that this Patent Application is now in condition for allowance and, thus, respectfully request early allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M. Swanson', with a long horizontal stroke extending to the right.

Mark D. Swanson  
Registration No. 48,498

Pauley Petersen & Erickson  
2800 West Higgins Road, Suite 365  
Hoffman Estates, Illinois 60169  
(847) 490-1400  
FAX (847) 490-1403